

**Law Offices
HERBST LAW PLLC**

October 18, 2017

BY ECF

The Honorable Sarah Netburn
United States Magistrate Judge
Southern District of New York
40 Centre Street
New York, NY 10007

Re: Elkhouly v. City of New York, et al.
17-CV-2318 (KBF) (SN)

Dear Judge Netburn:

We represent plaintiffs and respectfully submit this letter in response to Mr. LaBarbara's letter yesterday.

We have no objection to proceeding with defendant Finn by telephone, especially since we may have to ask for the same courtesy with respect to plaintiff Velez, depending upon how she is feeling on Monday, as she currently has a medical issue. Mr. Elkhouly will be there in person.

Respectfully yours,

/s/ Robert L. Herbst

Robert L. Herbst

cc: All Defense Counsel by ECF